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| 08/866,857 | 05/30/1997 | DAVID CORBOY | 06651/008001 | 1383 |

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|---|---|
| HUYNH, CONG LAC T | |
| ART UNIT | PAPER NUMBER |
| 2176 | |

DATE MAILED: 03/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. 08/866,857 | Applicant(s) CORBOY, DAVID | |
|---|---|---|---|
| | Examiner Cong-Lac Huynh | Art Unit 2176 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *09 January 2002* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-16 and 31-52* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16, 31-52* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

## DETAILED ACTION

1. This action is responsive to communication: RCE filed on 1/9/02 to the application filed on 05/30/97.

2. Claims 51-52 are added.

3. Claims 1-16, 31-52 are pending in the case. Claims 1 and 10 are independent claims

4. The rejections of claims 1, 4, 9-14, 31-50 under 35 U.S.C. 103(a) as being unpatentable over Kauffman in view of Berry and Boezeman have been withdrawn as necessitated by the amendment.

5. The rejections of claims 2-3, 7-8 under 35 U.S.C. 103(a) as being unpatentable over Kauffman, Berry and Boezeman and further in view of Ando have been withdrawn as necessitated by the amendment.

6. The rejections of claims 5-6 under 35 U.S.C. 103(a) as being unpatentable over Kauffman, Berry and Boezeman and further in view of Johnson have been withdrawn as necessitated by the amendment.

7. The rejections of claims 15-16 under 35 U.S.C. 103(a) as being unpatentable over Kauffman, Berry and Boezeman and further in view of Brown have been withdrawn as necessitated by the amendment.

### *Claim Rejections - 35 USC § 103*

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 1, 4, 9-16, 31-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caire et al. (US Pat No. 5,663,962, 9/2/97, filed 9/15/95) in view of Berry et al. (US Pat No. 5,692,205, 11/25/97, filed 11/15/96).

Regarding independent claim 1, Caire discloses:

- information in a first file format in a multimedia document (col 1, lines 14-24, 37-45, audio is one of the format in a multimedia document)
- information in a second file format in a multimedia document (col 1, lines 14-24, video is one of the format of a multimedia document)
- *choreographing information* in a multimedia document for allowing a document author to *define the timing at which the first file support object and the second file support object* are retrieved by a user, the choreographing information comprising data slices from the first file support object and the second file support object ***multiplexed*** *so as to incrementally render* the first file support object and the second file support object to the user at substantially ***the same time*** (abstract, col 1, lines 5-10, 37-45, 67 to col 2, lines 1-9, 45-59, method of *multiplexing streams* of digitally coded audio-visual signals, "multimedia" services provides video information, including sequences of moving pictures, still pictures, text, sound information and other data..., ...necessary to process **audio and video** information ***simultaneously***. The ***two kinds of information must***

***therefore be jointed into a single digital stream with a multiplexing process***...system for producing an MPEG1-coded stream therefore comprises ***several input streams, each related to a certain type of information***...the ***individual streams are multiplexed*** into a single output stream; col 3, lines 25-40; col 4, lines 54-65, each packet of data streams is associated with the timestamp, which shows the data arrangement or choreographic information)

Caire does not disclose encapsulating in a multimedia document a first file support object and encapsulating in a multimedia document a second file support object.

Berry discloses encapsulating in a multimedia document a first file support object and encapsulating in a multimedia document a second file support object (abstract, col 2, lines 18-45, *encapsulating audio and video data in multiple polymorphic objects* of a multimedia interface).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Berry to Caire since Berry and Caire disclose the audio and video data of a multimedia document. The combination of Berry and Caire would enhance the multimedia presentation where the audio and video data are multiplexed to present at the same time to users, and the audio data and the video data are encapsulated into objects using object-oriented features for integrating a multimedia presentation.

Regarding claim 4, which is dependent on claim 1, Caire does not disclose:

- creating an exclusive area within the window

- locating an object within the exclusionary area, the object being selected from a group of data objects including a framed image, a slide show, framed text, sound data, separator, or a hyperlink

Berry discloses:

- creating an exclusionary area within the window (figures 2, area #32 within the window)

- locating an object within the exclusionary area, the object being selected from a group of data objects including a framed image, a slide show, framed text, sound data, a separator, or a hyperlink (figures 2, locate and select an object including a framed image from #34-40)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Berry into Caire since Berry provides more specific features in displaying of image objects in a multimedia presentation.

Regarding claim 9, which is dependent on claim 1, Caire does not disclose:

- creating an unknown object in the data file
- locating player data within the unknown object defining a player that plays the unknown object

Berry discloses:

- creating an object in the data file (figure 2, col 3, lines 59-67)

- locating player data within an object defining a player that plays the object (col 1, lines 28-44, col 4, lines 61-67, col 5, lines 1-2)

Berry does not disclose the created object is an unknown object. However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Berry to include the created object being an unknown object. Berry provides a "player" interface for each multimedia object thus no matter the object is known or unknown, the system always locates the player associated with the multimedia object. Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Berry into Caire since Berry helps to define an object as an unknown object through locating such object with a player.

Independent claim 10 is for a computer system of the method claim 1, and is rejected under the same rationale.

Regarding claim 11, which is dependent on claim 10, Caire discloses that the first file format and the second file format are selected from a group of file formats including a textual file format, an image file format, and a sound file format (col 1, lines 14-24, 37-45, multimedia documents including text, images, sound, therefore, it would have been obvious that the first file format or the second file format is selected from the group of file formats that include the textual file format, the image file format, and the sound format).

Regarding claim 12, which is dependent on claim 10, Caire does not disclose that the performance on a higher level object would lead to the performance of the object of

lower level. Berry discloses the multimedia presentation uses object-oriented features. Therefore, the inheritance feature is included.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Berry and Caire to enhance the multimedia presentation of audio and video data using object-oriented features.

Regarding claim 13, which is dependent on claim 10, due to applying the object-oriented technique, each object obviously has associated attributes and functions.

Regarding claim 14, which is dependent on claim 10, as disclosed in claim 1, Caire discloses that each object is a generic element of the hierarchical data file structure, such that any combination of objects can be grouped together to form a part of the multimedia document (col 1, lines 5-10, 14-24, 37-52, 65 to col 2, lines 1-2).

Regarding claims 15 and 16, which are dependent on claim 10, Caire does not disclose explicitly that the document forms a code segment that receives image information, and wherein the image information is used to construct an image frame for a framed image that is part of the multimedia document. Instead Caire discloses a method of multiplexing *digitally coded multimedia signal streams* that multiplexes N elementary streams of *digitally coded data* representing information associated to multimedia signal sequences (col 2, lines 45-59).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Caire to include a code segment that receives image information, and wherein the image information is used to construct an image frame for a framed image that is part of the multimedia document since the multiplexing *digitally coded multimedia* signal streams suggests that the multimedia document is coded and one can use the code to manipulate any part of the multimedia document.

Regarding claim 31, which is dependent on claim 1, and claims 32-34, which are dependent on claim 31, Caire further discloses:

- a header (col 1, lines 65 to col 2, lines 1-2, each packet in the overall stream includes a header)
- an object archive for storing information about the plurality of object files, the object archive including information about *the level of each object file with the hierarchy* (col 1, lines 65 to col 2, lines 1-2, each packet of the multimedia stream stores information; col 1, lines 37-52, it is desired for instance to *insert into the complete stream also some subtitles* to be displayed during the presentation....)
- a multiplex section including data for each of the object files of the document (col 1, lines 65 to col 2, lines 1-9, 45-59)
- the object files in the multiplex section are each played by a player as the multiplex object file is received by a receiver (col 1, lines 65 to col 2, lines 1-2)

Regarding claims 35, 36-39, which are dependent on claims 31 and 35 respectively, Caire discloses:

- an object number counter indicating the number of object files (col 2, lines 10-20)
- a plurality of object descriptions, each object description describing a corresponding one of the object files (col 1, lines 65 to col 2, lines 1-2, the header includes information of the type of a packet in the multimedia stream)
- a choreography group providing information about a first group of object files (col 1, lines 65 to col 2, lines 1-2, packets of different types are included in the overall stream as a sequence of intervals wherein the type of a packet is disclosed in the heading are considered as a choreography group providing information about the object files)
- size and type data for each object file (col 1, lines 65 to col 2, lines 1-2, data type of each packet in the multimedia stream)
- header data (col 1, lines 65 to col 2, lines 1-2, each packet includes a header)
- the data slices of the object files interleaved together (col 1, lines 65 to col 2, lines 1-2, the overall stream is structured as a sequence of intervals called packets, each of which contains data of single type, indicated in a header of the packet itself; since data of different types are arranged in the *sequence of intervals called packets*, the packets which are equivalent to the object files, are interleaved together)
- a first player pointer including an address of a player that plays the choreography group (col 2, lines 3-9, for each interval, the multiplexer has to decide from which

the input stream it should take the data in order to construct the packets; this implies that the multiplexer has to decide where to point to to play the overall stream which is equivalent to the choreography group as mentioned above)

- locating a plurality of slice size data blocks before the interleaved data slices, each slice size data block corresponding to one of the data slices and providing a size of the corresponding data slice (col 4, lines 45-53, the number of data bytes and the number of header bytes in each packet show the size of each packet which is equivalent to the data block)

Regarding claim 40, which is dependent on claim 31, Caire discloses a plurality of separate object files that are not played by a player as the separate object files are received by a receiver (col 1, lines 37-45, ...*video and audio information* have *to be separated* again, by an inverse of demultiplexing process, as presentation occurs on different devices...).

Claims 41-50 are for a computer system of the method claims 31-40, and are rejected under the same rationale.

Regarding claims 51 and 52, which are dependent on claims 1 and 10 respectively, Caire discloses that the multiplexed data slices from the first file support object and the second file support object comprise data slices from the first file support object *interleaved* with data slices from the second file support object (col 1, lines 53-59, 65 to

col 2, lines 1-2, *packets of different media types* are arranged as a *sequence of intervals* in the multimedia stream and are multiplexed into an output stream).

10. Claims 2-3, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caire and Berry as applied to claim 1 above, and further in view of Ando (US Pat No. 5,600,826, 2/4/97).

Regarding claims 2 and 3, which is dependent on claim 1, Caire and Berry do not disclose changing at least an object in the data file and adding at least an object to the data file.

Ando discloses:

- changing one object in the data file (col 6, lines 43-63)
- adding an object to the data file (col 6, lines 43-63)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ando into Berry and Caire since Ando provides the ability of editing objects, which can comprises of changing and editing objects, in a structured data in which data elements are arranged in the order of depth (titles and subtitles). The combination of Ando into Berry and Caire would enhance the displaying of multimedia documents by modifying the displayed objects.

Regarding claim 7, which is dependent on claim 1, Caire and Berry do not disclose that each object has an address indicating a player that plays the object.

Ando discloses that each object has an object identifier that stores the position information of a data element (col 1, lines 9-22).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ando into Caire and Berry since Ando provides the object identifier, which is an object address, to recognize the object in the multimedia document to be played.

Regarding claim 8, which is dependent on claim 1, Caire and Berry do not disclose compressing information in each object.

Ando discloses a data compression/development device can, of course, be incorporated into a structured data processor (col 6, lines 38-43).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Ando into Caire and Berry since Ando has the ability of compressing data for high-speed data transmission. This implies there is also an information compressing in each object.

11. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caire and Berry as applied to claim 1 above, and further in view of Johnson (US Pat No. 5,892,847, 4/6/99, filed 4/22/96).

Regarding claims 5 and 6, which are dependent on claims 1 and 5 respectively, Caire and Berry do not disclose defining as well as locating the update splash image within the data file.

Johnson discloses:

- splash image data defining a splash image and locating the splash image data within the data file for displaying the splash image on the computer display (col 4, lines 30-50)
- further updating the splash image to be displayed (col 4, lines 30-63)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Johnson into Caire and Berry since Johnson shows the process of displaying of a splash image, which is an element of a multimedia document.

***Response to Arguments***

12. Applicant's arguments with respect to claims 1-52 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that Kauffman, Berry and Boezeman do not disclose "choreographing information comprising data slices from the first file support object and the second file support object *multiplexed* so as to incrementally render the first file support object and the second file support object to the user at substantially the same time."

Examiner agrees.

Caire, cited in this office action, discloses "choreographing information comprising data slices from the first file support object and the second file support object *multiplexed* so

as to incrementally render the first file support object and the second file support object to the user at *substantially the same time*" (abstract, col 1, lines 5-10, 37-45, 67 to col 2, lines 1-9, 45-59, method of ***multiplexing streams*** of digitally coded audio-visual signals, "multimedia" services provides video information, including sequences of moving pictures, still pictures, text, sound information and other data..., ...necessary to process **audio and video** information ***simultaneously***. The ***two kinds of information must therefore be jointed into a single digital stream with a multiplexing process***...system for producing an MPEG1-coded stream therefore comprises ***several input streams, each related to a certain type of information***...the ***individual streams are multiplexed*** into a single output stream; col 3, lines 25-40; col 4, lines 54-65, each packet of data streams is associated with the timestamp, which shows the data arrangement or choreographic information)

***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bowen et al. (US Pat No. 5,436,898, 7/25/95).

Yong et al. (US Pat No. 5,541,919, 7/30/96, filed 12/19/94).

Aramaki et al. (US Pat No. 5,751,339, 5/12/98, priority 10/12/94).

Schindler et al. (US Pat No. 5,867,223, 2/2/99, priority 7/17/95).

Sebestyen (US Pat No.6,236,805 B1, 5/22/01, priority 4/13/95).

Depaoli et al., Coordinator: a basic building block for multimedia conferencing systems, Global Telecommunications Conference, 1991, pages 2049-2053.

Riedl et al., SuiteSound : a system for distributed collaborative multimedia, Knowledge and Data Engineering, IEEE Transactions, 1993, pages 600-610.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is (703)-305-0432. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached on (703) 308-5186. The fax number to this Art Unit is (703) 308-5403.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5403 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA. Sixth Floor (Receptionist).

clh

3/14/02

STEPHEN S. HONG
PRIMARY EXAMINER